

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

NINGBO QINGE E-COMMERCE CO., LTD.,

Plaintiff,

-v.-

THE PARTNERSHIPS AND UNINCORPORATED
ASSOCIATIONS IDENTIFIED ON SCHEDULE A,

Defendants.

22 Civ. 6469 (KPF)

DEFAULT JUDGMENT

KATHERINE POLK FAILLA, District Judge:

The matter comes before the Court upon request by Plaintiff Ningbo Qinge E-Commerce Co. Ltd. (“Plaintiff”), brought by an Order to Show Cause for the entry of a final judgment and permanent injunction against the Defendants.

WHEREAS, this action was commenced by Plaintiff against the fully interactive e-commerce merchant storefronts operating under seller aliases, each identified on Schedule A attached hereto (collectively, “Defendants”) for, *inter alia*, trademark counterfeiting claims arising out of Defendants’ unauthorized use of Plaintiff’s federally registered trademark (“GAOARA Mark”), including their manufacturing, importing, exporting, advertising, marketing, promoting, distributing, displaying, offering for sale, and/or selling counterfeit products (“Counterfeit Products”);

WHEREAS, this Court has personal jurisdiction over Defendants because Defendants directly target their business activities to consumers in the United States, including New York;

WHEREAS, this Court entered a temporary restraining order and

preliminary injunction against Defendants;

WHEREAS, Plaintiffs has properly completed service of process on Defendants and notice has properly been given to Defendants to apprise them of the pendency of the action and affording them the opportunity to answer and present their objections;

WHEREAS, none of the Defendants have answered the Complaint or appeared in any way, and the time for answering the Complaint has expired,

WHEREAS, pursuant to Rule 55 of the Federal Rules of Civil Procedure, the Court Ordered Defendants to show cause as to why a default judgment and permanent injunction should not be issued at a hearing on May 24, 2023, at 2:00 p.m. (the “OTSC Hearing”);

WHEREAS, Defendants failed to appear at the OTSC Hearing; and

WHEREAS, this Court, having considered the Memorandum of Law and Affidavit of Qinghe Liu in support of Plaintiff’s Motion for a Default Judgment, the Affidavit of Service of the Summons and Complaint, and the Clerk of Court’s Certificate of Default stating that no answer has been filed in this action, it is hereby ORDERED, ADJUDGED, AND DECREED as follows:

1. Default judgment is hereby entered against Defendants for trademark infringement and counterfeiting pursuant to 15 U.S.C. § 1114, false designation of origin pursuant to 15 U.S.C. § 1125(a), and unfair competition under New York common law, as properly pleaded in the Complaint.
2. Pursuant to 15 U.S.C. § 1117(c)(2), Plaintiff is awarded statutory damages

from each of the Defendants in the amount of \$20,000 for willful counterfeiting.

3. Defendants, their respective officers, agents, servants, employees, and all persons acting in concert with or under the direction of Defendants, who receive actual notice of this Order are permanently enjoined and restrained from:

- a. directly or indirectly infringing the GAOARA Mark in any manner;
- b. using the GAOARA Mark on or in connection with the manufacturing, importing, exporting, advertising, marketing, promoting, distributing, displaying, offering for sale, selling, and/or otherwise dealing in counterfeit products;
- c. using any reproductions, counterfeit copies, or colorable imitations of the GAOARA Mark to identify any good or service that is not a genuine product or that is not authorized by Plaintiff;
- d. secreting, concealing, destroying, altering, selling off, transferring, or otherwise disposing of, and/or dealing with Counterfeit Products and any computer files, data, business records, documents, other records or evidence relating to Defendants' manufacture, importation, exportation, advertising, marketing, promotion, distribution, display, offering for sale and/or sale of the Counterfeit Products, whether by Defendants or their respective officers, employees, agents, servants and all persons in active concert or participation with any of them; and

- e. effecting assignments or transfers, forming new entities or associations, or creating and/or utilizing any other e-commerce platform, user accounts, merchant storefronts, or other means of importation, exportation, advertising, marketing, promotion, distribution, display, offering for sale, and/or sale of Counterfeit Products for the purposes of circumventing or otherwise avoiding the prohibitions set forth in this Order.
4. Pursuant to 15 U.S.C. § 1118, Defendants shall deliver to Plaintiff for destruction all Counterfeit Products, packaging, labels, tags, advertising, and promotional materials and any other materials in their possession, custody, or control that infringe any of Plaintiff's trademarks, including the GAOARA Mark or any marks that are confusingly or substantially similar.
5. Third-party provider e-commerce platforms and payment processors previously notified of this action, including ContextLogic, Inc. (d/b/a Wish), are permanently enjoined and restrained from:
- a. secreting, concealing, transferring, disposing of, withdrawing, encumbering, or paying any of the Defendants' assets previously restrained pursuant to the TRO ("Frozen Assets") from or to Defendants until further ordered by this Court;
 - b. secreting, concealing, destroying, altering, selling off, transferring, or otherwise disposing of and/or dealing with any computer files, data, business records, documents or any other records or evidence

- relating to Defendants' Frozen Assets and Defendants' accounts;
- c. providing services to Defendants or Defendants' user accounts, financial accounts, and merchant storefronts; and
 - d. knowingly instructing, aiding, or abetting any other person or business entity in engaging in any of the activities referred to above in subparagraphs 3(a) through 3(e) and in subparagraphs 5(a) through 5(c).
6. Plaintiff may serve restraining notices pursuant to NY CPLR § 5222.
 7. The 30-day automatic stay on enforcing Plaintiff's judgment under Fed. R. Civ. Pro. 62(a) is hereby dissolved.
 8. The five-thousand dollars (\$5,000) security bond posted by Plaintiff is hereby released and the Clerk of the Court is directed to return such to Plaintiff or Plaintiff's counsel, Celeblaws, P.A., at 5050 West Colonial Drive, Orlando, Florida 32808.
 9. Any Defendant may move to dissolve or modify this Order upon showing of good cause as permitted by the Federal Rules of Civil Procedure.
 10. Any failure by Defendants to comply with the terms of this Order shall be deemed contempt of Court.
 11. This Court shall retain jurisdiction over this matter and the parties to construe and enforce this Order.

The Clerk of Court is directed to terminate all pending motions, adjourn all deadlines, and close this case.

SO ORDERED.

Dated: June 13, 2023
New York, New York

A handwritten signature in blue ink, reading "Katherine Polk Failla".

KATHERINE POLK FAILLA
United States District Judge

**Ningbo Qinge E-Commerce Co., Ltd. v.
The Partnerships And Unincorporated Associations Identified On Schedule “A”**

Schedule A

Defendant Online Marketplaces		
No.	Name / Seller Alias	Merchant Storefront URL
1	88WW0011	https://www.wish.com/merchant/5a54b3d2edd44248bdb8a1b6
2	16535373575	https://www.wish.com/merchant/5d54d6f33db43e5248358525
3	16535373610	https://www.wish.com/merchant/5d5f8caabd01a85e7d39bca8
4	ada electric mosquito swater	https://www.wish.com/merchant/5d55261c41ed5156a4cd5e0c
5	agykeluosi	https://www.wish.com/merchant/5d54bd60dfe13531d728f9a7
6	ANG YO Ladies'Underwear Shop	https://www.wish.com/merchant/5d561ec833f0b456b0f70293
7	anshuangyi5902	https://www.wish.com/merchant/5b9744095fd9450801ce2503
8	APINUNU	https://www.wish.com/merchant/5d5f8d8f40defd611a023d23
9	arrjjun	https://www.wish.com/merchant/5e69d8ee290ddd0700359b28
10	automoviles ligeros	https://www.wish.com/merchant/5f8e3c82ab096eec145a15cf
11	Buglioneжерardus	https://www.wish.com/merchant/5f7357b81bbd827c6ff763a4
12	Cartega	https://www.wish.com/merchant/5dca260029e7861b08c9d50c
13	cdubsok	https://www.wish.com/merchant/5b8e0e907b65be4f5946635b
14	chenminkeluosi	https://www.wish.com/merchant/5d55035e41ed51473dcd5de7
15	Clock envelope	https://www.wish.com/merchant/5d5383a61d9a8e612bfe8779
16	comandocompany	https://www.wish.com/merchant/5f7de214ce8b08004a4c64a0
17	DAVCO	https://www.wish.com/merchant/5f766f5f5810050050f7dd8d
18	dbtkeluosi	https://www.wish.com/merchant/5d4facb4933fb16bdeb86ef7
19	Deep love gril	https://www.wish.com/merchant/5d5791b61d862959ab42ec27
20	dhyuq	https://www.wish.com/merchant/5d55338141ed515b8acd6270
21	Diaoy's baby inner	https://www.wish.com/merchant/5d5662771d86295dab377e18
22	dpcq200	https://www.wish.com/merchant/5d4fa3ec152754483bad4f28
23	Dreamming foot bath	https://www.wish.com/merchant/5d552c5a560eca4602d3ee6f
24	dwj3f0tu	https://www.wish.com/merchant/5f7ef0e2acc4bc859cb267b2
25	Easing coffee machine	https://www.wish.com/merchant/5d560b350ed6962b0e876f6f
26	electrocoagulation	https://www.wish.com/merchant/5f9066e58e4f021206354986
27	fengmingkun	https://www.wish.com/merchant/5d60ba5a40defd5e5f888265
28	Flavored tip	https://www.wish.com/merchant/5d56055b560eca2b2202a0b3
29	Funny blonde	https://www.wish.com/merchant/5d5510a0a7c373402f4dd19b

30	gerhxcop	https://www.wish.com/merchant/5b9219590757f116461cee6f
31	gjlkeluosi	https://www.wish.com/merchant/5d54baa01527545c8cb922d8
32	GO go go world	https://www.wish.com/merchant/5d5601e60ed6962a37875cde
33	guanxiaoting	https://www.wish.com/merchant/5d54f16940defd3ed7ab6a74
34	guomeilxl	https://www.wish.com/merchant/5aa38a814f6b4931a51f942a
35	guzhengmao	https://www.wish.com/merchant/596dafa9905fdb3146b169af
36	historia contada	https://www.wish.com/merchant/5f8def471c8085ffcbf16487
37	hjinfw	https://www.wish.com/merchant/5d550b4433f0b45ce2457905
38	HTGR Men's Clothing Shop	https://www.wish.com/merchant/5d63d10344b36e1c4123de22
39	huajiaosi	https://www.wish.com/merchant/5d55448d7ad2422af8849869
40	huangjiam	https://www.wish.com/merchant/5d60c87e07cc8d32c4fc5fd7
41	huiduhuijin	https://www.wish.com/merchant/5d567030560eca5643029fc0
42	hyifg6df	https://www.wish.com/merchant/5d553841a7c3734ff34dd227
43	incantation	https://www.wish.com/merchant/5f906051fa517f9ca5168b0b
44	Inversies Tecno G	https://www.wish.com/merchant/5f79e254cd233df592f87776
45	inversiones 85	https://www.wish.com/merchant/5f6bd97440e7a2fe61db7e8b
46	jinchengs	https://www.wish.com/merchant/5f16754da5524b848811954f
47	jins5s	https://www.wish.com/merchant/5d60c77a07cc8d39acfc314e
48	jius5x	https://www.wish.com/merchant/5d60c796560eca1726637a89
49	jkbjnkui	https://www.wish.com/merchant/5fa278301908972337368175
50	Joanna's marketplace	https://www.wish.com/merchant/5f761dff7736b595ff1f4fdb
51	jonnhlao	https://www.wish.com/merchant/5d5525e90447504d55a7548b
52	juahuangyiuduon	https://www.wish.com/merchant/5a1d5d7b7a4f3b6af6ba0745
53	keluosimagic	https://www.wish.com/merchant/5d3ea24472b0c927cb1ea4f0
54	kool kool beef	https://www.wish.com/merchant/5d55e65e560eca1ab98bc135
55	LiKai Student Goods Shop	https://www.wish.com/merchant/5d4cd8dc5575bf150ab5f918
56	liminkeluosi	https://www.wish.com/merchant/5d550b5541ed514aabcd5f90
57	Lisa's love cabin	https://www.wish.com/merchant/5b7654d1b60999243327657c
58	Lisbeth nails	https://www.wish.com/merchant/5f6bdd5bd2741900455fb0a8
59	liyiliyi	https://www.wish.com/merchant/596a033dd4cc347910778478
60	lizhonghao	https://www.wish.com/merchant/5a757ce0823a3e70273203e3
61	llysh457	https://www.wish.com/merchant/5e69df52d8fefc3342624aa4
62	lshstrong	https://www.wish.com/merchant/5d54c5ecddfca77434aeb27a
63	luis12	https://www.wish.com/merchant/5f6f3f32c4fbcd949ffed863
64	lukungyousi	https://www.wish.com/merchant/5d43f02083889754403dd2fb
65	luozhiwei	https://www.wish.com/merchant/5d5538c040defd3782ac952a
66	lwrbeauty	https://www.wish.com/merchant/5d4cd6ea5a315742216cd46e
67	maopei	https://www.wish.com/merchant/5d55416a33f0b474824575fe

68	Maries Market Shop	https://www.wish.com/merchant/5f7b888c2b925b04e53d1b4b
69	Market Global Crys	https://www.wish.com/merchant/5f7ce5b3a59b115c60cdf114
70	Marmolería Jhony	https://www.wish.com/merchant/5f68b576026deef8940448a
71	MASTERMIG	https://www.wish.com/merchant/5f7b7dcfa587ae003d4a1c00
72	MMJR BBB Women's Shoe Shop	https://www.wish.com/merchant/5d639438ec136c2dba25f34f
73	MMNBH Ladies'Clothing Shop	https://www.wish.com/merchant/5d564a9440defd51913d56fe
74	Moon And Sun Pen Store	https://www.wish.com/merchant/5d427dc783889708242904ca
75	Night dress hat	https://www.wish.com/merchant/5d5769ac4dd91b3e806a7772
76	nikhe	https://www.wish.com/merchant/5d5500b840defd444cab6cee
77	Noyse peetle	https://www.wish.com/merchant/5d57a72b560eca4265edb897
78	obligatory	https://www.wish.com/merchant/5b8a2bcb2eb51f43742fe82c
79	pangyuhuan	https://www.wish.com/merchant/577b852b5f096a4060286ceb
80	Pearson Dental supply	https://www.wish.com/merchant/5f76a01473eb9a4ae019aa83
81	phim712354	https://www.wish.com/merchant/5f7436a6f8f856a678c7a733
82	Pocoler Werdanfor enafuy	https://www.wish.com/merchant/5d63b10cec136c381a25f413
83	podsopiern	https://www.wish.com/merchant/5e6487fe9828651e1e847853
84	Powder image cloud moon	https://www.wish.com/merchant/5b8a2ba89996c872379a5bd4
85	propenylbenzene	https://www.wish.com/merchant/5f906cef9a66968552f0b76c
86	Qander Victer niaery	https://www.wish.com/merchant/5d6374a7283abc523f4ddf50
87	QINQINXIAOBAOBEI	https://www.wish.com/merchant/5a55fa846839ea112be83dea
88	qinseshengshengxiao	https://www.wish.com/merchant/5aa394fbaac71f3f60976f5f
89	qiuqiunikk	https://www.wish.com/merchant/5a7b10e8c989493b3d2e1c49
90	qonglong	https://www.wish.com/merchant/5b966f961e9eea3a61ee42e2
91	quanyajun	https://www.wish.com/merchant/5a9e935fc989491b5023a9ee
92	quartzsshopp	https://www.wish.com/merchant/5b8e3b31c604cd1eb64ed2f0
93	Quisthedwinsdes	https://www.wish.com/merchant/5e58c8a26fa77905c30371b5
94	Randow Safu Celary Mitee	https://www.wish.com/merchant/5d63b333df79dd6201dd08fd
95	Rosefed	https://www.wish.com/merchant/5f8ea0f96406b850d808933f
96	Sepple sheely	https://www.wish.com/merchant/5d57811740defd4c80acc7fe
97	shengbinsaiyarensas	https://www.wish.com/merchant/5a9bc1e89c15ff29f6137314
98	Small Lukapei Telida	https://www.wish.com/merchant/5f5c6fc841512a9a860bc712
99	SMYOU	https://www.wish.com/merchant/5b30ced76119344ec8962686
100	sngwg	https://www.wish.com/merchant/5d5534797ad24224988499c9
101	snkgne	https://www.wish.com/merchant/5d552cb540defd56b7ab6a2b
102	Sport boat	https://www.wish.com/merchant/5d563a2a40defd41c03d97c9
103	sulihong	https://www.wish.com/merchant/5a631246edd4421885e01cd0

104	Taiyang92	https://www.wish.com/merchant/5b7a8ba315294c157d6a2774
105	TimothyWFolsom	https://www.wish.com/merchant/5f75d994a844ab41840d95f0
106	TTosg	https://www.wish.com/merchant/5b7e2a8a940ae11fdb575594
107	tudinguilin	https://www.wish.com/merchant/5d562d6740defd46f93d557c
108	unbaptized	https://www.wish.com/merchant/5f904e0261c72253ffe84d4b
109	Wall Crosk Market	https://www.wish.com/merchant/5f6ae32e463481418c7a16d5
110	WEI WEI Ladies'Underwear Shop	https://www.wish.com/merchant/5d4ba57b7ad2422c4146d767
111	xiaoyanyanstore	https://www.wish.com/merchant/5a75ad64ccf0c873bdd7f427
112	xlkeluosi	https://www.wish.com/merchant/5d54bc0eddfca770f7aeb158
113	xtuanzi	https://www.wish.com/merchant/5f18fcb025aa4e17df21469
114	yankuistore	https://www.wish.com/merchant/5a33a745b72a6b5f7e9a5095
115	Yerf AKw	https://www.wish.com/merchant/5f6fd4af90acca085a9a6c01
116	yinzhoushowtime	https://www.wish.com/merchant/5d4fa429933fb16bdeb85fbb
117	YouqingTianhou	https://www.wish.com/merchant/5a26a5929fbc5174df3b94b8
118	Yuky cooking machine	https://www.wish.com/merchant/5d565670a7c37349f473cbef
119	yuntuyuelian	https://www.wish.com/merchant/5d56962640defd6d063d5bd0
120	yuyanshi	https://www.wish.com/merchant/5b7b7fc091d00445d30763ca
121	zhangwei046	https://www.wish.com/merchant/5992fe7f0ec30f4d80993744
122	zhongliyan	https://www.wish.com/merchant/5d5639de40defd4b713d55b6
123	zhouxukeluosi	https://www.wish.com/merchant/5d54df1a41ed5139bdcd5d57
124	zhuzhuabcd	https://www.wish.com/merchant/5d4fa490933fb16bb3b8468b
125	zwdboy	https://www.wish.com/merchant/5d54cb713db43e4e863580a5
126	ZZXEE Women's clothing store	https://www.wish.com/merchant/5d6369e540defd6c76888244